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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,512	05/11/2005	Jun Hirano	L8638.04106	5470
24257	7590	09/17/2008		
STEVENS DAVIS LLP 1615 L STREET NW SUITE 850 WASHINGTON, DC 20036			EXAMINER ZEIWAR, SAYED T	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 09/17/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,512

Applicant(s)

HIRANO, JUN

Examiner

SAYED T. ZEWARDI

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-25 are rejected under 35 U.S.C. 102 (e) as being anticipated by Texerman et al. (US 2004/0141522).

With respect to claim 1, Texerman discloses a radio communication method in a radio LAN system for radio communication based on TDMA system with idle time provided between data to be transmitted and received by radio communication terminals on a radio section (**See Texerman's abstract, section [0001], [0038], [0083], [0126]**), wherein: said radio communication terminals carrying out radio communication perform such communication setting as to reduce transmission time of the header added to said data and/or to reduce said idle time (**See Texerman's section [0032], [0064]-[0067], [0082]**)

With respect to claim 5, Texerman discloses a radio communication method in a radio LAN system for radio communication based on TDMA system with idle time provided between data to be transmitted and received by radio communication

terminals on a radio section **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, wherein: said radio communication terminals carrying out radio communication reduce transmission time of the header added to said data and/or said idle time to perform communication **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 17, Texerman discloses a radio communication terminal in a radio LAN system, wherein radio communication based TDMA system is performed with idle time provided between the data transmitted and received by the radio communication terminals on radio section **See Texerman's abstract, section [0001], [0038], [0083], [0126])**, wherein: communication setting can be set to reduce the transmission time of header added to said data and/or said idle time **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 18, Texerman discloses a radio communication terminal in a radio LAN system, wherein radio communication based TDMA system is performed with idle time provided between the data transmitted and received by the radio communication terminals on radio section **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, wherein: said radio communication can be performed by reducing the transmission time of the header added to said data and/or said idle time **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 21, Texerman discloses a radio LAN system where radio communication based on TDMA system is performed with idle time provided between

the data transmitted and received by radio communication terminals on a radio section **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, wherein:
said radio communication terminals for performing said radio communication can carry out communication setting to reduce transmission time of header added to said data and/or said idle time **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 22, Texerman discloses a radio LAN system where radio communication based on TDMA system is performed with idle time provided between the data transmitted and received by radio communication terminals on a radio section **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, wherein:
said radio communication terminals for performing said radio communication can carry out said radio communication by reducing transmission time of header added to said data and/or said idle time **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 2, Texerman discloses a radio communication system wherein, for the purpose of performing communication setting to reduce the header transmission time and/or said idle time, said radio communication terminal acquires an ability to reduce said transmission time of said header of said radio communication terminal, serving as communication partner, and/or to reduce said idle time **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 3, Texerman discloses a radio communication method wherein said radio communication terminal acquires an ability to reduce transmission time of said header of said radio communication terminal **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, serving as said communication partner, and/or

to reduce said idle time from a radio communication terminal different from said radio communication terminal, serving as said communication partner (**See Texerman's section [0032], [0064]-[0067], [0082]**).

With respect to claim 4, Texerman discloses a radio communication method wherein said radio communication terminals perform said radio communication according to communication setting to reduce said header transmission time and/or said idle time (**See Texerman's section [0032], [0064]-[0067], [0082]**).

With respect to claim 6, Texerman discloses a radio communication method wherein said radio communication terminals change communication setting to reduce said header transmission time and/or said idle time (**See Texerman's section [0032], [0064]-[0067], [0082]**).

With respect to claim 7, Texerman discloses a radio communication method wherein said radio communication terminal acquires ability to reduce said header transmission time and/or said idle time of said radio communication terminal (**See Texerman's section [0032], [0064]-[0067], [0082]**), serving as said communication partner, from a radio communication terminal different from said radio communication terminal, serving as said communication partner, and by referring to said ability, said radio communication terminal changes communication setting to reduce said header transmission time and/or said idle time (**See Texerman's section [0032], [0064]-[0067], [0082]**).

With respect to claim 8, Texerman discloses a radio communication method wherein, when said radio communication terminal transmits said data, said header is

added to said data for each of the predetermined data transmissions and reduces said header transmission time by transmitting the other data without adding said header **(See Texerman's section [0064]-[0067], [0082], [0032]).**

With respect to claim 9, Texerman discloses a radio communication method wherein number of said data transmissions where said header is added is set in said communication setting **(See Texerman's section [0064]-[0067], [0082], [0032]).**

With respect to claim 10, Texerman discloses a radio communication method wherein said radio communication terminal acquires said header added to said data existent on said radio section in advance, and if said data without said header added to it is received, transmission time of said header is reduced by referring to said header acquired in advance **(See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008]).**

With respect to claim 11, Texerman discloses a radio communication method wherein, in case said radio communication terminal receives an information relating to the header of a radio communication terminal, serving as said communication partner, identification information to identify the radio communication terminal, serving as transmission source of said information relating to said header, is associated with the information relating to said header received, and said identification information is transmitted to said radio communication terminal, serving as the transmission source **(See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008], [0011], [0013]).**

With respect to claim 12, Texerman discloses a radio communication method wherein said radio communication terminal transmits said information relating to header to said radio section as said data and adds a predetermined identification information associated with said header to the data to be transmitted subsequently (**See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008], [0011], [0013], [0014]).**

With respect to claim 13, Texerman discloses a radio communication method wherein said identification information is set in said communication setting (**See Texerman's section [0064]-[0067], [0082], [0032]).**

With respect to claim 14, Texerman discloses a radio communication method wherein said radio communication terminal receives said data and transmits the data after said receiving acknowledgment information when the receiving acknowledgment information to notify that said data has been received is transmitted (**See Texerman's section [0014], [0032], [0035], [0118]).**

With respect to claim 15, Texerman discloses a radio communication method wherein said radio communication terminal terminates transmission of said data following said receiving acknowledgment information in accordance with a predetermined condition (**See Texerman's section [0022], [0038], [0099]).**

With respect to claim 16, Texerman discloses a radio communication method wherein communication in accordance with IEEE Std 802.11 is utilized as said radio communication (**See Texerman's abstract, section [0001], [0008], [0010], [0028], [0029]).**

With respect to claim 19, Texerman discloses a radio communication terminal wherein communication setting to reduce transmission time of said header and/or said idle time during said radio communication can be changed (**See Texerman's section [0032], [0064]-[0067], [0082]**).

With respect to claim 20, Texerman discloses a radio communication terminal wherein communication in accordance with IEEE Std 802.11 is utilized as said radio communication (**See Texerman's abstraction section [0001], [0008], [0010], [0028], [0029]**).

With respect to claim 23, Texerman discloses a radio communication terminal wherein said radio communication terminal can change the communication setting to reduce transmission time of said header and/or said idle time during said radio communication (**See Texerman's section [0032], [0064]-[0067], [0082]**).

With respect to claim 24, Texerman discloses a radio communication terminal wherein communication in accordance with IEEE Std. 802.11 is utilized as said radio communication (**See Texerman's abstraction section [0001], [0008], [0010], [0028], [0029]**).

With respect to claim 25, Texerman discloses a radio communication terminal wherein said identification information is set in said communication setting (**See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008], [0011], [0013]**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAYED T. ZEWARI whose telephone number is (571)272-6851. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sayed T Zewari/
Examiner, Art Unit 2617
September 12, 2008

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617